

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

WALTER DUANE WHITE

Petitioner,

v.

**Civil Action No. 1:07cv1
(Judge Keeley)**

JOYCE FRANCIS, Warden,

Respondent.

ORDER

Upon due consideration of Respondent's Motion to Strike and Motion for Protective Order, the Court is of the opinion that good cause is shown therein for the relief sought by the respondent. It is therefore Ordered that the respondent's Motion to Strike Plaintiff's First set of Interrogatories to Defendant (Doc. 40) be **GRANTED**, and it is further ORDERED that the Clerk shall remove the Certificate of Service evidencing service of the Interrogatories (Doc. 37) from the docket. It is further

ORDERED that respondent need not answer or respond to the Petitioner's First Set of Interrogatories to Defendant.

IT IS SO ORDERED.

The Clerk of the Court is directed to mail a copy of this Order to the *pro se* petitioner and any counsel of record.

DATED: December 5, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE

